

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

NOV 14 1974

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed Nov. 19, 1959 under 18267.....

The applicant Nye County Development Co., Inc., c/o Anglo Fabrics Company, Inc.

1407 Broadway, of New York
Street and No. or P.O. Box No. City or Town

New York 10018, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Reno, Nevada - February, 1962

1. The source of the proposed appropriation is Underground source
Name of stream, lake or other source.

2. The amount of water applied for is 7.1 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for Irrigation & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... 320

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: Govt. Lot 2, Sec. 34,

T. 16S., R. 49E., M.D.B. & M., or at a point from which the West 1/4

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, corner of said Sec. 34 bears North 65°00' West a distance of 3055 feet. it should be stated.

6. Place of use Govt. Lots 1, 2, 3, 4, 5, 6, 7 and 8 in Section 34,

Describe by legal subdivision, if on unsurveyed land it should be so stated.

Township 16 South, Range 49 East, M.D.B. & M. (320 Acres)

7. Use will begin about January 1st and end about December 31st, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump, motor together with ditches and/or pipelines to carry water to its place of use.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$10,000.....
10. Estimated time required to construct works.....Five years.....
11. Estimated time required to complete the application to beneficial use.....Five years.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....Please use the map submitted in support of Permit No. 18267.....
.....to support this application.....
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Applicant Nye County Development Co., Inc.

ByS/ R. LeRoy Givens
R. LeRoy Givens, State Water Rights
Compared cv/ga lk/jw c/o Boyle Engineering Surveyor
Corporation
1209 S. Commerce St.
APPROVAL OF STATE ENGINEER Las Vegas, Nevada 89102

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the final determination of litigation pending in the United States District Court for the District of Nevada styled United States of America vs. Francis Leo Cappaert, et al., Civil - LV 1687.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before September 24, 1975
Proof of commencement of work shall be filed before October 24, 1975
Work must be prosecuted with reasonable diligence and be completed on or before September 24, 1976
Proof of completion of work shall be filed before October 24, 1976
Application of water to beneficial use shall be made on or before September 24, 1979
Proof of the application of water to beneficial use shall be filed on or before October 24, 1979
Map in support of proof of beneficial use shall be filed on or before October 24, 1979

Commencement of work filed..... IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of March

Certificate No. Issued A.D. 1975
Recorded NOV 29 1976 BK. Page
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER